

REMARKS

Claims 1 – 19 are in the application, wherein claim 7 is amended and claims 12 – 18 stand withdrawn from consideration.

Applicants respectfully submit that the § 112, second paragraph, rejection of claim 7 is mooted by the foregoing amendment.

Applicants respectfully traverse the § 102(b) rejection of claims 1 – 3 and 6 as being anticipated by EP 0179943 to Motoyama et al. (Motoyama).

More specifically, Motoyama does not teach or suggest a milling process wherein the ratio of solid to liquid is controlled by means of a regulating unit as provided by the present claims. Anticipation connotes a substantially identical disclosure in the prior art of the claimed invention. A reference cannot anticipate under § 102 unless it discloses every element of a claimed invention so as to place a process in the possession of the public.

Accordingly, Applicants contend that the disclosure in Motoyama is inadequate to support a rejection grounded upon 35 USC § 102. Reconsideration and withdrawal thereof are earnestly requested.

Applicants respectfully traverse the § 103(a) rejection of claims 1 – 3 and 6 – 11 as being unpatentable over US patent 3,920,442 to Albert et al. (Albert) in view of Motoyama, and further in view of US patent 5,476,654 to Conte et al. (Conte) and US patent 6,468,555 (Nakamura).

The instant invention relates to a process for applying a liquid to a solid that is to be finely milled. The specification clearly outlines the benefits to be derived from the presently claimed process.

The distinctions in the cited references are clearly apparent. More specifically, Albert does not teach a process for finely milling solid particles in the presence of a liquid. Motoyama, on the other hand, does not teach or suggest that the ratio of solid to liquid in the milling process is controlled by means of a regulating unit as provided by the present claims. The Conte and Nakamura citations do not remedy the deficiencies of either Albert or Motoyama. Accordingly,

Applicants respectfully submit that the Examiner's conclusion of *prima facie* obviousness is not supported by the cited references. Neither reference teaches how to carry out the presently claimed process. Nor is any motivation provided as to why the prior art processes should be modified in the manner suggested by the Examiner.

Nevertheless, in order to advance the prosecution and in further support of Applicants' position herein, attached hereto and forming part of the argument herein are photos which serve to compare the Solid/Liquid deposits formed in a jet mill process of the prior art with deposits formed in a jet mill process in accordance with the invention. Specifically, a review of the photos clearly reveals the unexpected performance characteristics of the instantly claimed process which uses a controlled ratio system.

With the explanations presented herein, the Examiner is respectfully requested to reconsider and to withdraw the § 103 rejection of claims 1 – 3 and 6 – 11.

Applicants aver that a complete response to the office action has been made and that the instant application and claims are now in condition for examination on their merits and for allowance.

Respectfully submitted,

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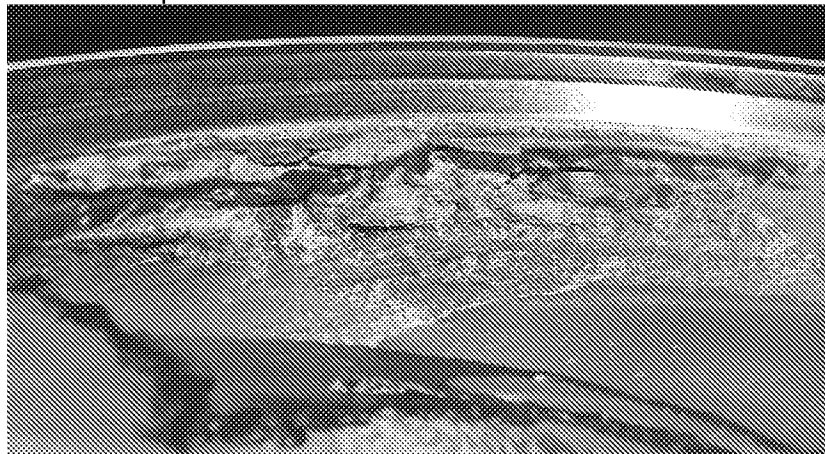
ENCL. Photos

Visualisation of milling chamber direct injection versus “controlled ratio” configuration

Solid/liquid deposit in the jet mill of the prior art



Other example



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No Solid/liquid deposits by "controlled ratio" system

